

Amendments to the Claims:

This listing of claims will replace all prior versions and listings of claims in the application:

1. (currently amended) A method for producing a gummy stem blight resistant *Cucumis melo* hybrid seed, said method comprising:

crossing a recurrent *Cucumis melo* parent plant having commercially appealing attributes with a non-recurrent *Cucumis melo* parent plant having resistance to gummy stem blight to yield a first generation hybrid plant, wherein said non-recurrent *Cucumis melo* parent plant is selected from the group consisting of U.S.D.A. Plant Introduction ("PI") accession PI 157082, PI 511890, PI 482399, PI 482398, and PI 140471, and contains at least one gummy stem blight resistance gene selected from the group consisting of *Gsb1*, *Gsb2*, *gsb3*, *Gsb4*, and *Gsb5*, wherein said recurrent *Cucumis melo* parent plant is selected from the group consisting of Cornell ZPPM 339, TAM Uvalde, UC Topmark, Galia type, ~~Ananas type~~, and Oro Rico, and said commercially appealing attributes of the recurrent parent plant, when compared to attributes of the non-recurrent parent plant, are selected from the group consisting of ~~enhanced~~ increased seed yield, ~~enhanced~~ increased fruit size, ~~enhanced~~ increased fruit quality, ~~enhanced~~ increased fruit shelf life, ~~enhanced~~ increased seedling vigor, ~~enhanced~~ increased disease tolerance, ~~enhanced~~ increased insect tolerance, increased resistance to pesticides, increased resistance to herbicides, increased stem quality ~~enhanced stems~~, ~~enhanced roots~~ increased root quality, increased heat tolerance, increased drought tolerance, and ~~enhanced~~ increased maturity rate;

backcrossing the recurrent parent plant with the first generation hybrid plant to yield a first backcross plant; and

performing backcrosses of the recurrent parent plant with progeny of the first backcross plant under conditions effective to yield the gummy stem blight resistant *Cucumis melo* hybrid seed, wherein said hybrid seed produces a plant having the commercially appealing attributes of the recurrent parent plant compared to the non-recurrent parent plant and having ~~enhanced~~ increased resistance to gummy stem blight compared to the recurrent parent plant, and wherein the hybrid seed contains at least one of the gummy stem blight resistance genes from the non-recurrent parent plant.

Claims 2-17 (canceled)

18. (currently amended) A method for producing a gummy stem blight resistant *Cucumis melo* hybrid plant, said method comprising:

growing a gummy stem blight resistant *Cucumis melo* hybrid seed produced according to the method of claim 1 to yield a gummy stem blight resistant *Cucumis melo* hybrid plant.

19. (previously presented) A method for producing a gummy stem blight resistant *Cucumis melo* hybrid seed, said method comprising:

providing a gummy stem blight resistant *Cucumis melo* hybrid plant produced according to the method of claim 18; and

crossing the hybrid plant with a second gummy stem blight resistant *Cucumis melo* plant to yield gummy stem blight resistant *Cucumis melo* hybrid seeds.

Claims 20-21 (canceled)

22. (currently amended) A gummy stem blight resistant *Cucumis melo* hybrid seed, prepared by a method comprising:

crossing a recurrent *Cucumis melo* parent plant having commercially appealing attributes with a non-recurrent *Cucumis melo* parent plant having resistance to gummy stem blight to yield a first generation hybrid plant, wherein said non-recurrent *Cucumis melo* parent plant is selected from the group consisting of U.S.D.A. Plant Introduction ("PI") accession PI 157082, PI 511890, PI 482399, PI 482398, and PI 140471, and contains at least one gummy stem blight resistance gene selected from the group consisting of *Gsb1*, *Gsb2*, *gsb3*, *Gsb4*, and *Gsb5*, wherein said recurrent *Cucumis melo* parent plant is selected from the group consisting of Cornell ZPPM 339, TAM Uvalde, UC Topmark, Galia type, ~~Ananas type~~, and Oro Rico, and said commercially appealing attributes of the recurrent parent plant, when compared to attributes of the non-recurrent parent plant, are selected from the group consisting of ~~enhanced~~ increased seed yield, ~~enhanced~~ increased fruit size, ~~enhanced~~ increased fruit quality, ~~enhanced~~ increased fruit shelf life, ~~enhanced~~ increased seedling vigor, ~~enhanced~~ increased disease tolerance, ~~enhanced~~ increased insect tolerance, increased resistance to pesticides, increased resistance to herbicides, increased stem quality ~~enhanced stems~~, ~~enhanced roots~~ increased root quality, increased heat tolerance, increased drought tolerance, and ~~enhanced~~ increased maturity rate;

backcrossing the recurrent parent plant with the first generation hybrid plant to yield a first backcross plant; and

performing backcrosses of the recurrent parent plant with progeny of the first backcross plant under conditions effective to yield the gummy stem blight resistant *Cucumis melo* hybrid seed, wherein said hybrid seed produces a plant having the commercially appealing attributes of the recurrent parent plant compared to the non-recurrent parent plant and having ~~enhanced~~ increased resistance to gummy stem blight compared to the recurrent parent plant, and wherein the hybrid seed contains at least one of the gummy stem blight resistance genes from the non-recurrent parent plant.

Claims 23-38 (canceled)

39. (previously presented) A gummy stem blight resistant *Cucumis melo* hybrid plant, or its parts, produced by the seed of claim 22.

40. (original) Pollen of the hybrid plant according to claim 39.

41. (original) An ovule of the hybrid plant according to claim 39.

42. (currently amended) A tissue culture of regenerable cells of the hybrid plant according to claim 39, wherein multiple progeny plants having all the morphological and physiological characteristics of said hybrid plant ~~are~~ can be regenerated from said tissue culture of regenerable cells.

43. (original) A gummy stem blight resistant *Cucumis melo* progeny plant, or its parts, regenerated from the tissue culture of claim 42.

Claim 44 (canceled)

45. (currently amended) A gummy stem blight resistant *Cucumis melo* hybrid plant, prepared by a method comprising:

crossing a recurrent *Cucumis melo* parent plant having commercially appealing attributes with a non-recurrent *Cucumis melo* parent plant having resistance to

gummy stem blight to yield a first generation hybrid plant, wherein said non-recurrent *Cucumis melo* parent plant is selected from the group consisting of U.S.D.A. Plant Introduction (“PI”) accession PI 157082, PI 511890, PI 482399, PI 482398, and PI 140471, and contains at least one gummy stem blight resistance gene selected from the group consisting of *Gsb1*, *Gsb2*, *gsb3*, *Gsb4*, and *Gsb5*, wherein said recurrent *Cucumis melo* parent plant is selected from the group consisting of Cornell ZPPM 339, TAM Uvalde, UC Topmark, Galia type, ~~Ananas type~~, and Oro Rico, and said commercially appealing attributes of the recurrent parent plant, when compared to attributes of the non-recurrent parent plant, are selected from the group consisting of ~~enhanced~~ increased seed yield, ~~enhanced~~ increased fruit size, ~~enhanced~~ increased fruit quality, ~~enhanced~~ increased fruit shelf life, ~~enhanced~~ increased seedling vigor, ~~enhanced~~ increased disease tolerance, ~~enhanced~~ increased insect tolerance, increased resistance to pesticides, increased resistance to herbicides, increased stem quality ~~enhanced stems~~, ~~enhanced roots~~ increased root quality, increased heat tolerance, increased drought tolerance, and ~~enhanced~~ increased maturity rate;

backcrossing the recurrent parent plant with the first generation hybrid plant to yield a first backcross plant;

performing backcrosses of the recurrent parent plant with progeny of the first backcross plant under conditions effective to yield the gummy stem blight resistant *Cucumis melo* hybrid seed, wherein said hybrid seed produces a plant having the commercially appealing attributes of the recurrent parent plant compared to the non-recurrent parent plant and having ~~enhanced~~ increased resistance to gummy stem blight compared to the recurrent parent plant; and

growing the hybrid seed to yield a gummy stem blight resistant *Cucumis melo* hybrid plant, wherein the hybrid plant contains at least one of the gummy stem blight resistance genes from the non-recurrent parent plant.

Claims 46-61 (canceled)

62. (original) Pollen of the resistant hybrid plant according to claim 45.
63. (original) An ovule of the resistant hybrid plant according to claim 45.

64. (previously presented) A tissue culture of regenerable cells of the hybrid plant according to claim 45, wherein multiple progeny plants having all the morphological and physiological characteristics of said hybrid plant can be regenerated from said tissue culture of regenerable cells.

65. (original) A gummy stem blight resistant *Cucumis melo* progeny plant, or its parts, regenerated from the tissue culture of claim 64.

Claim 66 (canceled)

67. (previously presented) Seed of a gummy stem blight resistant *Cucumis melo* breeding line designated NY 01-190-3R, -7L, -9L (composite), a sample of said seed having been deposited under ATCC accession number PTA-3860.

68. (previously presented) A commercially appealing *Cucumis melo* plant, or its parts, produced by the seed of claim 67.

69. (original) Pollen of the plant of claim 68.

70. (original) An ovule of the plant of claim 68.

71. (previously presented) A tissue culture of regenerable cells of the *Cucumis melo* breeding line according to claim 67, wherein multiple progeny plants having all the morphological and physiological characteristics of said hybrid *Cucumis melo* breeding line can be regenerated from said tissue culture of regenerable cells.

72. (original) A tissue culture according to claim 71, wherein the tissue is selected from the group consisting of leaves, pollen, embryos, roots, stems, root tips, anthers, flowers, seeds, and fruit.

73. (previously presented) A *Cucumis melo* plant, or its parts, regenerated from the tissue culture of claim 71 and having all the morphological and physiological characteristics of said *Cucumis melo* breeding line.